

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND PUBLIC SAFETY

Call to Order: By **CHAIRMAN STEVE VICK**, on **February 9, 1999** at
8:04 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Rep. Steve Vick, Chairman (R)
Sen. Arnie Mohl, Vice Chairman (R)
Sen. Chris Christiaens (D)
Rep. Stan Fisher (R)
Sen. Dale Mahlum (R)
Rep. Red Menahan (D)
Sen. Debbie Shea (D)

Members Excused: None.

Members Absent: None.

Staff Present: Skip Culver, Legislative Branch
Mary LaFond, OBPP
Linsey Mortensen, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: Department of Corrections,
2/15/1999

Hand-outs for questions from 2/8/99

EXHIBIT(jih32a01) **EXHIBIT(jih32a02)**

HEARING ON DEPARTMENT OF CORRECTIONS

MONTANA STATE PRISON

Introduction of **Mike Mahoney**, Warden at Montana State Prison(MSP)
EXHIBIT(jih32a03)

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{Tape : 1; Side : A; Approx. Time Counter : 4.9 - 6.3}

Mike Mahoney discussed the goals of the prison, what was proposed last biennium, and the prison's accomplishments.
(security enhancements)

{Tape : 1; Side : A; Approx. Time Counter : 6.3 - 19.7}

Continuation on the security and staff check points.

{Tape : 1; Side : A; Approx. Time Counter : 20.5 - 30}

Continuation of accomplishments and improvements.

{Tape : 1; Side : B; Approx. Time Counter : 1.2 - 4.6}

Earned incentive program

{Tape : 1; Side : B; Approx. Time Counter : 4.6 - 7.2}

Continuation on programs

{Tape : 1; Side : B; Approx. Time Counter : 8.6 - 9}

Continuation on programs (Forced Labor program)

{Tape : 1; Side : B; Approx. Time Counter : 10.2 - 13.3}

Continuation on accomplishments (emergency response system)

{Tape : 1; Side : B; Approx. Time Counter : 15.6 - 22.8}

Continuation of presentation(projects in progress) and improvements.

{Tape : 1; Side : B; Approx. Time Counter : 23.3 - 25.4}

Continuation of presentation on accomplishments (tobacco free)

{Tape : 1; Side : B; Approx. Time Counter : 29.7 - 30.4}

Continuation of presentation about meeting compliance requirements with the US Justice Department.

{Tape : 2; Side : A; Approx. Time Counter : 11.7 - 17}

Continuation of presentation (substance abuse) **EXHIBIT(jih32a06)**

{Tape : 2; Side : A; Approx. Time Counter : 22.1 - 23.6}

Continuation of presentation on budget requests. (present law adjustments)

{Tape : 2; Side : B; Approx. Time Counter : 11 - 15.5}

Discussion and clarification about natural gas funding

{Tape : 2; Side : B; Approx. Time Counter : 13.3 - 17.5}

Continuation of presentation on budget requests (new proposals)

{Tape : 2; Side : B; Approx. Time Counter : 21.6 - 24}

Continuation of presentation on new proposals.

{Tape : 2; Side : B; Approx. Time Counter : 31.2 - 32.5}{Tape : 3; Side : A; Approx. Time Counter : 0.1 - 2.1}

SEN. BECK, senate district 28, discussed his concerns and answered committee questions about the prison canteen.

{Tape : 3; Side : A; Approx. Time Counter : 2.1 - 27.1}

Questions from Committee Members and Responses

SEN. SHEA asked if cigarettes are considered contraband. **Mr. Mahoney** stated that MSP has become smoke free and tobacco free.

{Tape : 1; Side : A; Approx. Time Counter : 19.7 - 20.5}

SEN. CHRISTIAENS asked what the weak part of the Body Search machine. **Mr. Mahoney** replied that the weak part is that it does not detect anything that has been secreted into a body cavity.

CHAIRMAN VICK asked how the machine works. **Mr. Mahoney** explained.

REP. MENAHAN asked if they regulate the type of clothing the inmates can have. **Mr. Mahoney** they have limited clothing that the inmates may buy through the canteen, but they can't control family members from giving clothing to the inmates.

{Tape : 1; Side : A; Approx. Time Counter : 30 - 32.6}{Tape : 1; Side : B; Approx. Time Counter : 0.1 - 1.2}

SEN. CHRISTIAENS asked if the incentive program included letting the inmates engage in their hobbies. **Mr. Mahoney** stated that they will be trying to get the number of hobby permits allowed.

{Tape : 1; Side : B; Approx. Time Counter : 7.2 - 8.6}

Discussion on individuals going through reception and the screening process in which an inmate goes through to find out what programs they belong in. (**CHAIRMAN VICK** and **Mike Mahoney**)

{Tape : 1; Side : B; Approx. Time Counter : 9 - 10.2}

SEN. MOHL asked if the Forced Labor program included the farm. **Mr. Mahoney** stated the force labor is for anything within the double fence of the prison.

SEN. MAHLUM asked about the kind of work the prisoners do. **Mr. Mahoney** stated that they try to make the inmates do productive kinds of labor.

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SEN. CHRISTIAENS asked how many staff will be assigned to the force labor program. **Mr. Mahoney** replied that there are three staff right now and if they start going outside the fence they will still have one staff member with five crew members.

{Tape : 1; Side : B; Approx. Time Counter : 13.3 - 15.6}

SEN. MOHL asked if they would pay the prisoners for the forced labor program. **Mr. Mahoney** stated that they would not.

{Tape : 1; Side : B; Approx. Time Counter : 22.8 - 23.3}

SEN. CHRISTIAENS asked if the money they used for maintenance projects was in their budget. **Mike Mahoney** explained.

EXHIBIT(jih32a04)

CHAIRMAN VICK asked about replacing the beds with metal in them. **Mike Mahoney** replied that they are currently looking a different kind of frame work for the beds.

{Tape : 1; Side : B; Approx. Time Counter : 25.4 - 28}

Comments from **SEN. CHRISTIAENS**

{Tape : 1; Side : B; Approx. Time Counter : 28 - 29.7}

SEN. SHEA asked how they handled withdrawals of prisoners from not smoking. **Mr. Mahoney** explained the process they went through to make the prison smoke free. **SEN. SHEA** commented about people's anger after quitting smoking. **Mike Mahoney** replied that there was a rise in assault type activity and anger for a while after the process began. **EXHIBIT**(jih32a05)

{Tape : 1; Side : B; Approx. Time Counter : 30.4 - 32.5}{Tape : 2; Side : A; Approx. Time Counter : 0.1 - 0.6}

SEN. SHEA asked what the positive and negative of having made the prison some free. **Mr. Mahoney** replied that tobacco was a major trading commodity that provided a security risk. With cigarettes you need matches which can also provide a security risk. It is positive from a health care stand point.

{Tape : 2; Side : A; Approx. Time Counter : 0.6 - 3.4}

SEN. MOHL asked **Mr. Mahoney** to explain the razor ribbon. **Mr. Mahoney** explained.

{Tape : 2; Side : A; Approx. Time Counter : 3.4 - 5.9}

SEN. CHRISTIAENS asked about the department working with Montana Power. **Mr. Mahoney** replied that they have talked to Montana Power about coming out to the prison and showing them some ways to be more energy efficient.

{Tape : 2; Side : A; Approx. Time Counter : 5.9 - 7.6}

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CHAIRMAN VICK asked what they use the old kitchens. **Mr. Mahoney** explained that they are still used for some baking and food preparation.

{Tape : 2; Side : A; Approx. Time Counter : 7.6 - 8.6}

Discussion and questions about accommodating special diets and smoking in the pre-releases. (**SEN. SHEA, SEN. CHRISTIAENS, AND Mike Mahoney.**)

{Tape : 2; Side : A; Approx. Time Counter : 8.6 - 13.3}

CHAIRMAN VICK asked how many staff did they need to adequately staff the medical and mental health aspect of the agreement. **Mr. Mahoney** stated that they did contract with Powell County. (explained further)

{Tape : 2; Side : A; Approx. Time Counter : 17 - 21.1}

Discussion on the mental health staff education.

{Tape : 2; Side : A; Approx. Time Counter : 20.9 - 22.1}

CHAIRMAN VICK asked how they test for alcohol. **Mr. Mahoney** explained.

{Tape : 2; Side : A; Approx. Time Counter : 23.6 - 26.2}

Questions about correctional officers, the pay scale, and comparison to the regional prisons. (**CHAIRMAN VICK, SEN. CHRISTIAENS, Mike Mahoney, Joe Williams**)

{Tape : 2; Side : A; Approx. Time Counter : 26.2 - 32.6}{Tape : 2; Side : B; Approx. Time Counter : 0.2 - 1.5}

SEN. MOHL, Mr. Mahoney, and Joe Williams discussed the turnover rate, FTE's, and vacancy savings..

{Tape : 2; Side : B; Approx. Time Counter : 1.5 - 5.8}

Comments from committee members.

{Tape : 2; Side : B; Approx. Time Counter : 5.8 - 11}

SEN. MAHLUM asked what happens with the canteen. **Mr. Mahoney** stated that the canteen sustains itself. **SEN. MAHLUM** asked what kind of volume they do through it.

{Tape : 2; Side : B; Approx. Time Counter : 17.5 - 20.1}

SEN. CHRISTIAENS asked if the MSP canteen deals with the people in the regional prisons. **Mr. Mahoney** replied that the regional prisons are responsible for their own supplies.

{Tape : 2; Side : B; Approx. Time Counter : 20.1 - 21.6}

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SEN. MOHL asked **Mr. Mahoney** to explain the LFD issue on the equipment in the present law adjustments. **EXHIBIT(jih32a07)**
{Tape : 2; Side : B; Approx. Time Counter : 24 - 25.1}

CONTRACT BEDS

Mike Mahoney gave an overview of the contracts they have with out of state prisons and the regional prisons. **EXHIBIT(jih32a08)**
{Tape : 3; Side : A; Approx. Time Counter : 27.1 - 32.5}{Tape : 3; Side : B; Approx. Time Counter : 0.1 - 0.9}

Joe Williams addressed the financial budgets.
{Tape : 3; Side : B; Approx. Time Counter : 0.9 - 2.2}

Questions from Committee Members and Responses

REP. FISHER asked about the department bringing back all the prisoners out of state. **Mr. Williams** stated that the proposal for contract beds was for the regional prisons and the Shelby prison.
{Tape : 3; Side : B; Approx. Time Counter : 2.2 - 3.9}

SEN. MOHL asked what the increase is between 2000 and 2001. **Mr. Williams** replied that the big increase is because Shelby will be full as well as Missoula and Dawson County jails. **SEN. MOHL** asked what they project for an increase in prison population between 2000 and 2001. **Mr. Williams** stated they projected 150 prisoners.
{Tape : 3; Side : B; Approx. Time Counter : 3.9 - 6.5}

Discussion on why they have 4 FTE.
{Tape : 3; Side : B; Approx. Time Counter : 6.5 - 7.8}

Discussion about inmates in holding and getting them into the jails. (**SEN. CHRISTIAENS** AND **Mr. Day**)
{Tape : 3; Side : B; Approx. Time Counter : 7.8 - 9.8}

CORRECTIONAL ENTERPRISES

Introduction of **Ross Swanson**, Division Administrator of Correctional Enterprises (MCE). **EXHIBIT(jih32a09)**
{Tape : 3; Side : B; Approx. Time Counter : 9.8 - 11.7}

Ross Swanson discussed what is entailed in the correctional enterprises division, and what their mission, goals, and programs are. He also discussed the budget requests.

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{Tape : 3; Side : B; Approx. Time Counter : 11.7 - 32.4}{Tape : 4; Side : A; Approx. Time Counter : 0.1 - 2.9}

Continued presentation on the vocational training and education program.

{Tape : 4; Side : A; Approx. Time Counter : 10.8 - 21}

Continued presentation on the accounting/fiscal support, benefits of the MCE programs, and motor vehicle maintenance (in hand out).

{Tape : 4; Side : A; Approx. Time Counter : 25 - 32.5}

CHAIRMAN VICK stated that they would discuss the rest of the motor vehicle maintenance program on Thursday.

Questions from Committee Members and Responses

CHAIRMAN VICK asked about people buying their license plates and where the money goes. **Mr. Swanson** stated that the money goes to the county and the general fund. They do get some money back on the colligate plates.

{Tape : 4; Side : A; Approx. Time Counter : 2.9 - 6.6}

CHAIRMAN VICK and **Mr. Swanson** discussed the purchasing of supplies and how it fits into the general fund.

{Tape : 4; Side : A; Approx. Time Counter : 6.6 - 10.8}

SEN. MAHLUM and **Mr. Swanson** discussed where the income for the ranch was stated in the Legislative Budget Analysis Book. **SEN. MAHLUM** asked if the revenue goes back to the general fund. **Mr. William** explained the process.

{Tape : 4; Side : A; Approx. Time Counter : 21 - 24}

Comments by **REP. MENAHAN**

{Tape : 4; Side : A; Approx. Time Counter : 24 - 25}

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ADJOURNMENT

Adjournment: 12:05 A.M.

REP. STEVE VICK, Chairman

LINSEY MORTENSEN, Secretary

SV/LM

EXHIBIT (jih32aad)